

## § 194.1

## 49 CFR Ch. I (10–1–11 Edition)

SOURCE: 58 FR 253, Jan. 5, 1993, unless otherwise noted.

### Subpart A—General

#### § 194.1 Purpose.

This part contains requirements for oil spill response plans to reduce the environmental impact of oil discharged from onshore oil pipelines.

#### § 194.3 Applicability.

This part applies to an operator of an onshore oil pipeline that, because of its location, could reasonably be expected to cause substantial harm, or significant and substantial harm to the environment by discharging oil into or on any navigable waters of the United States or adjoining shorelines.

#### § 194.5 Definitions.

*Adverse weather* means the weather conditions that the operator will consider when identifying response systems and equipment to be deployed in accordance with a response plan. Factors to consider include ice conditions, temperature ranges, weather-related visibility, significant wave height as specified in 33 CFR Part 154, Appendix C, Table 1, and currents within the areas in which those systems or equipment are intended to function.

*Barrel* means 42 United States gallons (159 liters) at 60 °Fahrenheit (15.6 °Celsius).

*Breakout tank* means a tank used to:

- (1) Relieve surges in an oil pipeline system or
- (2) Receive and store oil transported by a pipeline for reinjection and continued transportation by pipeline.

*Contract or other approved means* is:

- (1) A written contract or other legally binding agreement between the operator and a response contractor or other spill response organization identifying and ensuring the availability of the specified personnel and equipment within stipulated response times for a specified geographic area;

- (2) Certification that specified equipment is owned or operated by the pipeline operator, and operator personnel and equipment are available within stipulated response times for a specified geographic area; or

- (3) Active membership in a local or regional oil spill removal organization that has identified specified personnel and equipment to be available within stipulated response times for a specified geographic area.

*Environmentally sensitive area* means an area of environmental importance which is in or adjacent to navigable waters.

*High volume area* means an area which an oil pipeline having a nominal outside diameter of 20 inches (508 millimeters) or more crosses a major river or other navigable waters, which, because of the velocity of the river flow and vessel traffic on the river, would require a more rapid response in case of a worst case discharge or substantial threat of such a discharge. Appendix B to this part contains a list of some of the high volume areas in the United States.

*Line section* means a continuous run of pipe that is contained between adjacent pressure pump stations, between a pressure pump station and a terminal or breakout tank, between a pressure pump station and a block valve, or between adjacent block valves.

*Major river* means a river that, because of its velocity and vessel traffic, would require a more rapid response in case of a worst case discharge. For a list of rivers see “*Rolling Rivers, An Encyclopedia of America’s Rivers*,” Richard A. Bartlett, Editor, McGraw-Hill Book Company, 1984.

*Maximum extent practicable* means the limits of available technology and the practical and technical limits on a pipeline operator in planning the response resources required to provide the on-water recovery capability and the shoreline protection and cleanup capability to conduct response activities for a worst case discharge from a pipeline in adverse weather.

*Navigable waters* means the waters of the United States, including the territorial sea and such waters as lakes, rivers, streams; waters which are used for recreation; and waters from which fish or shellfish are taken and sold in interstate or foreign commerce.

*Oil* means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, vegetable oil, animal